

# NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources  
STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194  
**Struck text is being removed, and underlined text is being added**

## BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.04(AA), Area No. 49-B, Skillings River (Lamoine-Hancock), amended on January 4, 2011. This amendment reclassifies the area of the Skillings River north of Seal Point from "Restricted" to "Approved", with the exception of Kilkenny Cove and Mud Creek, due to water quality meeting approved standard. This amendment also reclassifies Martin and Weirs Cove from "Restricted" to "Prohibited", due to point source pollution; and reclassifies Mill Pond Cove from "Approved" to "Restricted" due to water quality not meeting approved standards. All existing pollution and red tide/psp closures remain in effect. As authorized by 12 M.R.S. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.04(AA).

**RULE TITLE AND SUBJECT:** DMR Chapter 95.04(AA), Area No. 49-B, Skillings River (Lamoine-Hancock), amended on January 4, 2011, is amended as follows:

**TITLE & TEXT OF RULE:** EMERGENCY Rule: DMR Chapter 95.04(AA), Area No. 49-B, Skillings River (Lamoine-Hancock)

A. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels and other marine mollusks from all shores, flats and waters of Martin and Weir Cove west of a line beginning at a red painted post located on the shore 134 yards southeast from the end of Falcon Lane running south to a red painted post located on the shore at the northeast tip of Partridge Point.

B. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels and other marine mollusks from all shores, flats and waters of the following areas:

1. Carrying Place (Hancock): north of the US Route 1 Bridge beginning on the shore at the northern tip of Havey Point running northwest to the northern tip of Cedar Point. This area is classified restricted and harvesting will require a special MDMR permit
  2. Kilkenny Cove (Lamoine): northwest of a line beginning at a red painted post located on the northern side at the mouth of Kilkenny Cove at the southern tip on an unnamed peninsula (Point 1) running south across the east shore of an unnamed island to a red painted post located on the southern side at the mouth of Kilkenny Cove at the eastern most point of land on an unnamed peninsula (Point 2). This area is classified restricted and harvesting will require a special MDMR permit
  3. Mud Creek (Lamoine): west of a line beginning at a red painted post located on the shore approximately 466 yards from the Mud Creek Road culvert running south to a red painted post located on the opposite shore. This area is classified restricted and harvesting will require a special MDMR permit
  4. Mill Cove Pond (Hancock): east of a line beginning at a red painted post located on the shore of the southern most point of land 316 yards south from the end of Mill Pond Lane running south to a distinct point of land extending north off the opposite shore. This area is classified restricted and harvesting will require a special MDMR permit
- ~~1. Carrying Place (Hancock): north of the US Route 1 Bridge to a line that begins on the most northern tip of Cedar Point and extends northwest to the northern tip of Havey Point. This area is classified restricted and harvesting requires a special MDMR permit.~~
- ~~2. Upper Skillings River (Lamoine-Hancock): north of a line starting at a red painted post (Lat 44.512614; Long -68.305668) on the northeast tip of Partridge Point; then extending~~

~~southeast to the northern tip of Seal Point (Lamoine); and then extending northeast to a red-painted post (Lat 44.51504; Long -68.293824) on the northwest tip of an un-named point forming the southern mouth of Mill Creek (Hancock). This area is classified restricted and harvesting requires a special MDMR permit.~~

~~3 Mud Creek, Lamoine, westerly and inside of a line starting at a red painted post (Lat 44.506365; Long -68.320301) on the western side of the mouth of Urann Cove (1400 feet from the Mud Creek Road culvert) and extending south across Mud Creek to a red painted post (Lat 44.504842; Long -68.320301) on the southerly shore. This area is classified restricted and harvesting requires a special MDMR permit.~~

EFFECTIVE DATE: December 22, 2011

EFFECTIVE TIME: 11:35 AM

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# Maine Department of Marine Resources

Pollution Area No. 49-B

Skillings River (Lamoine-Hancock)

